



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,258	09/11/2000	Gregory Richard Hintermeister	IBM/155	5587

7590 01/30/2003

Scott A Stinebruner
Wood Herron & Evans LLP
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917

EXAMINER

PILLAI, NAMITHA

ART UNIT PAPER NUMBER

2173

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/659,258

Applicant(s)

HINTERMEISTER ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2173

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of this application is objected to because it exceeds 150 words.

2. The disclosure is objected to because of the following informalities: the term "Drawings" (page 4, line 26) need not be capitalized when referring to the drawings of this application within the specification. This term is used throughout the specification and corrections should be made where necessary.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined

Art Unit: 2173

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-14, 16-18 and 20-43 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 5,956,665 (Martinez et al.).

Referring to claim 1, Martinez discloses a method for managing computer hardware components by displaying a pictorial representation on a computer display with a plurality of hardware components and representing a physical configuration of each of the plurality of hardware components (Figure 6 and column 1, lines 30-33). Martinez also discloses indicating a selected status for hardware components from the plurality of hardware components within the pictorial representation with the plurality of hardware components (column 2, lines 48-53).

Referring to claims 2 and 24, Martinez discloses a diagram of at least one enclosure within which the plurality of hardware components is disposed, further depicting a physical location of each of the plurality of hardware components in the enclosure (Figure 1 and column 5, lines 13-16).

Referring to claims 3 and 25, Martinez discloses a first view of the enclosure taken from a first viewpoint (column 9, lines 24-26), and wherein the pictorial representation further includes a second diagram depicting a second view of the enclosure taken from a second viewpoint (column 9, lines 27-30).

Referring to claims 4 and 26, Martinez discloses an unused interface component which is used to configure physically interconnect with another hardware component. According to

Art Unit: 2173

Figure 6, the shelves are these interface components, which are configured to physically interconnect with the disk drives. Martinez allows for managing of the user interface component through user input directed at the pictorial representation. Martinez does disclose detecting user input based on where the user has clicked within the pictorial representation (Figure 9). This suggests that the user through user input will manage the shelves in order to access the disk drive devices that are physically interconnected to the shelves.

Referring to claims 5 and 27, Martinez discloses that each of the plurality of hardware components is associated with at least one attribute and a method to compare attributes associated with the plurality of hardware components against a filter criterion (column 2, lines 59-62). Martinez also discloses selecting those hardware components associated with the attributes that match the filter criterion (column 2, lines 62-65).

Referring to claims 6 and 28, Martinez discloses that user input is used for generating the filter criterion (column 2, lines 66-67 and column 3, lines 1-2).

Referring to claims 7 and 29, Martinez discloses that the user may choose the type of filter criteria from a plurality of filter criterion (column 3, lines 2-7). Martinez also discloses that each of the plurality of predetermined filter criteria is associated with a predetermined view among a plurality of views (column 3, lines 3-5).

Referring to claim 8, Martinez discloses that each hardware component is associated with a hardware type (column 8, lines 51-52) and the filter criterion identifies a selected hardware type, wherein selecting those hardware components includes selecting those hardware components associated with the selected hardware type (column 8, lines 50-55).

Referring to claim 9, Martinez discloses updating the indication of the selected status for the hardware components responsive to selection of those hardware components associated with attributes that match the filter criterion (column 2, lines 63-65).

Referring to claims 10 and 30, Martinez discloses that each of the plurality of hardware components is associated with at least one of a plurality of diagrams, each of which depicting a physical location of at least one of the plurality of hardware components (Figure 6 and column 9, lines 21-26). Martinez also discloses displaying within this pictorial representation only those diagrams from the plurality of diagrams that depict the physical location of at least one hardware component having a selected status (column 9, lines 22-24).

Referring to claims 11 and 31, Martinez discloses visually highlighting those portions of the pictorial representation that depict the physical configurations of the multiple hardware components that have a selected status (column 9, lines 30-31).

Referring to claims 12 and 32, Martinez discloses updating the status of a hardware component by setting a bit if changes in the component have occurred (column 2, lines 52-57). It is inherent that once the changes in the component have been recognized, an active bit once set must be unselected or cleared in order to start the polling process and check for changes that may occur to the same component at a later time. In this manner, the status of the component can be selected and then unselected. Martinez does disclose a means for detecting user input based on where the user has clicked within the pictorial representation (Figure 9). The flow chart of Figure 9, also checks to see which device has been accessed as per the user input allowing for the selection and unselection of these components to be responsive based on which device the user has directed the input to.

Referring to claims 13 and 33, Martinez discloses performing a management operation on each of the multiple hardware components that have a selected status responsive to user input (column 3, lines 2-4).

Referring to claims 14 and 34, Martinez discloses that hardware components are monitored in multiple computer rooms, wherein components from each of the computers will be monitored and managed (column 12, lines 51-53).

Referring to claims 16 and 35, Martinez discloses a list of available management operations associated with a hardware component among the plurality of hardware component (column 9, lines 27-29). Martinez does not disclose how this list is retrieved. But Martinez does disclose detecting user input based on where the user has clicked within the pictorial representation (Figure 9). This suggests that a device for which the list is shown would be retrieved and displayed in response to user input directed to that portion of the pictorial representation that depicts the physical configuration of the hardware component.

Referring to claims 17 and 36, Martinez discloses displaying a list of available management operations within a context sensitive menu (Figure 6). Martinez also discloses the user initiating one of the available management operations on the hardware component directed to the context sensitive menu (reference numbers 82, 84 and 92, Figure 6).

Referring to claims 18 and 37, Martinez discloses retrieving status information associated with a first hardware component among the plurality of hardware components (column 2, lines 55-57). Martinez does not disclose user input in retrieving this information concerning a device. But Martinez does disclose detecting user input based on which portion and device the user has clicked within the pictorial representation (Figure 9). This suggests that the information

Art Unit: 2173

retrieved is associated with the device that the user has clicked on the pictorial representation that depicts the physical configuration of the hardware component.

Referring to claims 20 and 38, Martinez discloses that the pictorial representation and indicating the selected status are performed on a single computer, wherein all the needed information is contained within that single computer (column 12, lines 51-52).

Referring to claims 21 and 39, Martinez discloses displaying the pictorial representation and indicating the selected status on a first computer and wherein at least a portion of the plurality of hardware components are physically located in second computer in communication with the first computer (column 12, lines 54-55).

Referring to claim 22, Martinez discloses that the plurality of hardware components is disposed in a computer selected from the group consisting of a single-user computer and multi-user computers (column 12, lines 51-53).

Referring to claims 23, Martinez discloses a program residing in memory (column 9, lines 39-41). Martinez discloses a method for managing computer hardware components by displaying a pictorial representation on a computer display with a plurality of hardware components and representing a physical configuration of each of the plurality of hardware components (Figure 6 and column 1, lines 30-33). Martinez also discloses indicating a selected status for hardware components from the plurality of hardware components within the pictorial representation with the plurality of hardware components (column 2, lines 48-53).

Referring to claim 40, Martinez discloses a program residing in memory (column 9, lines 39-41). Martinez discloses a method for managing computer hardware components by displaying a pictorial representation on a computer display with a plurality of

Art Unit: 2173

hardware components and representing a physical configuration of each of the plurality of hardware components (Figure 6 and column 1, lines 30-33). Martinez also discloses indicating a selected status for hardware components from the plurality of hardware components within the pictorial representation with the plurality of hardware components (column 2, lines 48-53). Martinez also discloses a signal bearing medium bearing the program (column 9, lines 40-43).

Referring to claim 41, Martinez discloses that the signal bearing medium includes at least one of a recordable medium and a transmission medium (column 9, lines 40-43).

Referring to claim 42, Martinez discloses that his invention for implementing this graphical user interface can access a plurality of computers to identify a plurality of hardware components resident in the plurality of computers (column 12, lines 51-53). Martinez also discloses automatically generating a pictorial representation on a computer display having a plurality of hardware components within the plurality of computers (column 2, lines 20-23). Martinez also discloses performing at least one management operation on a hardware component among the plurality of hardware components in response to user input (column 3, lines 1-6). Martinez does disclose a means for detecting user input based on where the user has clicked within the pictorial representation (Figure 9). The flow chart of Figure 9, also checks to see which device has been accessed as per the user input for management of these components.

Referring to claim 43, Martinez discloses each of the plurality of hardware components is associated with at least one attribute (column 2, line 26) and wherein each of the plurality of hardware components is associated with at least one of a plurality of diagrams (Figure 1). Martinez discloses comparing attributes associated with the plurality of hardware components against a filter criterion and selecting those hardware components associated with attributes that

match the filter criterion (column 2, lines 40-43). Martinez dynamically generating the pictorial representation includes displaying the pictorial representation only the diagrams with the selected hardware components (column 2, lines 34-37).

Claim Rejections - 35 USC § 103

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez and U. S. Patent No. 6,167,358 (Othmer et al.).

Referring to claim 15, Martinez does not disclose that at least two of the plurality of computers utilizes different types of computer platforms. Othmer manages the operation of a plurality of computer-based systems wherein these systems utilize different types of computer platforms (Figure 2 and column 3, lines 43-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martinez's invention such that the plurality of computers utilize different types of computer platforms. In cases where there are various computers, the chances of there being different types of computer platforms running in these computers are highly likely. Hence, one skilled in the art, at the time of the invention, would have been motivated to learn from Othmer to implement a system wherein the plurality of computers would include computers utilizing different types of platforms.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez and Designing the User Interface (Shneiderman).

Referring to claims 19, Martinez discloses including locating a user-manipulated pointer over that portion of the pictorial representation that depicts the physical configuration of the hardware component (Figure 9). Martinez also discloses displaying the retrieved status information disposed proximate that portion of the pictorial representation that depicts the

physical configuration of the hardware component (reference numbers 82, 84 and 92, Figure 6). Martinez does not disclose pop-up windows for displaying the status information. Shneiderman discloses that pop-up menus appear on the display in response to a click wherein the contents of the pop-up menu can depend on where the cursor is pointing to when clicked (page 243, lines 9-11). It would have been obvious for Martinez at the time of the invention to learn from Shneiderman in implementing the display of the status information within a pop-up window. Pop-up windows allow for retrieval of information and displaying without it affecting the main screen. In order for the user to not disturb the main screen, a pop-up window can provide easy access without it affecting the pictorial representations shown on the main screen. One skilled in the art, at the time of the invention, would have been motivated to learn from Shneiderman in implementing the display of the status information through pop-up windows.

Conclusion

6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach a method for managing hardware components.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231.

If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile

Application/Control Number: 09/659,258

Art Unit: 2173

communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

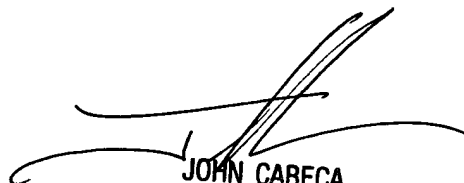
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
January 16, 2003


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY GROUP